

REMARKS

Claims 17, 19, 21, 22 and 24-27 are pending. Claims 1-16, 18, 20-21 and 23 are cancelled. Applicants respectfully request that this Amendment be entered because it renders the claims in condition for allowance.

Claims 17 and 27 have been amended to recite that the anchor inserter is sized and shaped to hold an end of each anchor adjacent to the bore. These amendments are supported by, for example, Figs. 8A and 8B, and supporting discussion. Claim 14 has been amended to recite that the bore extends through a midpoint of the cylindrical body. These amendments are supported by, for example, page 8 (“a bore in the middle for threading the suture therethrough”) and Fig. 7.

The specification has been amended to recite that the cylindrical body 63 shown in FIG. 7 has a length that is greater than its diameter and that the bore 64 is located approximately at the midpoint of the cylindrical body 63. These amendments are supported by FIG. 7 and supporting discussion.

Claims 17, 19, 21, 22 and 24-27 stand rejected under 35 U.S.C. § 112 first paragraph. The Office Action asserts that the “cylindrical body” limitation is not described in the specification. Page 9 of the application as originally filed states that “[a] shown in Fig. 7, anchor 60 consists basically of a *cylindrical body* 63...” (emphasis added). As further recited in the claims, Fig. 7 illustrates a cylindrical body having a length that is greater than its diameter and bore extending therethrough. Based on the foregoing, it is readily apparent that the “cylindrical body” limitation is expressly supported by the specification and Figures. Applicants respectfully request withdrawal of this rejection.

Claim 27 also stands rejected under 35 U.S.C. § 112 first paragraph because the specification purportedly does not disclose perineal incision methods that anchor the sling to the internal soft tissue, ligaments and fascia as claimed. Applicants disagree that the specification fails to describe this claim feature, but have amended the claim in order to advance prosecution.

The Office Action objected to the specification for purportedly failing to provide proper antecedent basis for certain features in the previously presented claims. Applicants have amended the specification to overcome this objection.

Claims 17, 19, 21, 22 and 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,042,534 to Gellman et al. (“Gellman”) in view of U.S. patent 5,814,070 to Borzone et al. (“Borzone”) or U.S. patent 6,139,565 to Stone et al. (“Stone”). The Office Action asserts that Gellman teaches each feature of the claims except for a bore extending through the cylindrical body of the anchor. The Office Action further asserts that Stone and Borzone teach placing a perpendicular bore through the cylindrical body of an anchor in order to attach sutures, and that it would have been obvious to modify the anchor bore disclosed by Gellman et al. by placing a bore therethrough. Applicants respectfully request withdrawal of this rejection because, even if combined, these references do not teach or suggest each limitation of the claims as amended.

Independent claims 17 and 27 recite that the anchor inserter holds an end of each anchor adjacent the bore. As a result, the bore and associated suture are disposed outside of the tip of the inserter to facilitate implantation in, for example, soft tissue. None of the prior art teaches an anchor inserted having this feature. Instead, the prior art teaches anchor inserters in which the bore is disposed inside of the inserter during implantation to facilitate hard tissue implantation. Accordingly, the cited prior art as combined does not teach or suggest each feature of the claimed invention.

Claim 14 recites that the bore extends through a midpoint of the cylindrical body. Each of the cited references, in contrast, describes a bore that extends through a proximal end of the anchor. Moreover, it would not have been obvious to modify any of these references by moving the bore to a midpoint of the anchor because each of these references describes screw-in bone anchors that include an eye for receiving a suture. The eye could not reasonably be used to receive a suture if embedded in hard bone tissue.

Applicants respectfully request that the Examiner withdraw the pending rejections/objections and issue a Notice of Allowance. In lieu of the foregoing, Applicants

request that the Examiner contact the undersigned representative to discuss the contents of this communication.

Respectfully Submitted,

SHLOMO RAZ et al.

By: /John L. Crimmins, 51,589/
John L. Crimmins, Reg. No. 51,589
612/766-7749
Customer No.: 43554

Dated: September 14, 2007